

Senator Nate Blouin proposes the following substitute bill:

BALLOT DELIVERY AMENDMENTS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Nate Blouin

House Sponsor: _____

LONG TITLE

General Description:

This bill amends provisions governing manual ballots and ballot drop boxes.

Highlighted Provisions:

This bill:

- ▶ makes valid a manual ballot postmarked on election day;
- ▶ requires the return envelope for a manual ballot to be postage prepaid;
- ▶ addresses reimbursement to a county for the actual cost of prepaid postage;
- ▶ authorizes an election officer to remove a ballot drop box from a location in certain circumstances; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

20A-1-102, as last amended by Laws of Utah 2022, Chapters 18, 170

20A-3a-202, as last amended by Laws of Utah 2022, Chapters 18, 121 and 156



26 [20A-3a-204](#), as last amended by Laws of Utah 2022, Chapter 156

27 [20A-5-403.5](#), as last amended by Laws of Utah 2022, Chapter 156

28

29 *Be it enacted by the Legislature of the state of Utah:*

30 Section 1. Section **20A-1-102** is amended to read:

31 **20A-1-102. Definitions.**

32 As used in this title:

33 (1) "Active voter" means a registered voter who has not been classified as an inactive
34 voter by the county clerk.

35 (2) "Automatic tabulating equipment" means apparatus that automatically examines
36 and counts votes recorded on ballots and tabulates the results.

37 (3) (a) "Ballot" means the storage medium, including a paper, mechanical, or electronic
38 storage medium, that records an individual voter's vote.

39 (b) "Ballot" does not include a record to tally multiple votes.

40 (4) "Ballot proposition" means a question, issue, or proposal that is submitted to voters
41 on the ballot for their approval or rejection including:

42 (a) an opinion question specifically authorized by the Legislature;

43 (b) a constitutional amendment;

44 (c) an initiative;

45 (d) a referendum;

46 (e) a bond proposition;

47 (f) a judicial retention question;

48 (g) an incorporation of a city or town; or

49 (h) any other ballot question specifically authorized by the Legislature.

50 (5) "Bind," "binding," or "bound" means securing more than one piece of paper
51 together using staples or another means in at least three places across the top of the paper in the
52 blank space reserved for securing the paper.

53 (6) "Board of canvassers" means the entities established by Sections [20A-4-301](#) and
54 [20A-4-306](#) to canvass election returns.

55 (7) "Bond election" means an election held for the purpose of approving or rejecting
56 the proposed issuance of bonds by a government entity.

57 (8) "Business reply mail envelope" means an envelope that may be mailed free of
58 charge by the sender.

59 (9) "Canvass" means the review of election returns and the official declaration of
60 election results by the board of canvassers.

61 (10) "Canvassing judge" means a poll worker designated to assist in counting ballots at
62 the canvass.

63 (11) "Contracting election officer" means an election officer who enters into a contract
64 or interlocal agreement with a provider election officer.

65 (12) "Convention" means the political party convention at which party officers and
66 delegates are selected.

67 (13) "Counting center" means one or more locations selected by the election officer in
68 charge of the election for the automatic counting of ballots.

69 (14) "Counting judge" means a poll worker designated to count the ballots during
70 election day.

71 (15) "Counting room" means a suitable and convenient private place or room for use
72 by the poll workers and counting judges to count ballots.

73 (16) "County officers" means those county officers that are required by law to be
74 elected.

75 (17) "Date of the election" or "election day" or "day of the election":

76 (a) means the day that is specified in the calendar year as the day that the election
77 occurs; and

78 (b) does not include:

79 (i) deadlines established for voting by mail, military-overseas voting, or emergency
80 voting; or

81 (ii) any early voting or early voting period as provided under Chapter 3a, Part 6, Early
82 Voting.

83 (18) "Elected official" means:

84 (a) a person elected to an office under Section 20A-1-303 or Chapter 4, Part 6,
85 Municipal Alternate Voting Methods Pilot Project;

86 (b) a person who is considered to be elected to a municipal office in accordance with
87 Subsection 20A-1-206(1)(c)(ii); or

88 (c) a person who is considered to be elected to a local district office in accordance with
89 Subsection [20A-1-206\(3\)\(b\)\(ii\)](#).

90 (19) "Election" means a regular general election, a municipal general election, a
91 statewide special election, a local special election, a regular primary election, a municipal
92 primary election, and a local district election.

93 (20) "Election Assistance Commission" means the commission established by the Help
94 America Vote Act of 2002, Pub. L. No. 107-252.

95 (21) "Election cycle" means the period beginning on the first day persons are eligible to
96 file declarations of candidacy and ending when the canvass is completed.

97 (22) "Election judge" means a poll worker that is assigned to:

98 (a) preside over other poll workers at a polling place;

99 (b) act as the presiding election judge; or

100 (c) serve as a canvassing judge, counting judge, or receiving judge.

101 (23) "Election officer" means:

102 (a) the lieutenant governor, for all statewide ballots and elections;

103 (b) the county clerk for:

104 (i) a county ballot and election; and

105 (ii) a ballot and election as a provider election officer as provided in Section
106 [20A-5-400.1](#) or [20A-5-400.5](#);

107 (c) the municipal clerk for:

108 (i) a municipal ballot and election; and

109 (ii) a ballot and election as a provider election officer as provided in Section
110 [20A-5-400.1](#) or [20A-5-400.5](#);

111 (d) the local district clerk or chief executive officer for:

112 (i) a local district ballot and election; and

113 (ii) a ballot and election as a provider election officer as provided in Section
114 [20A-5-400.1](#) or [20A-5-400.5](#); or

115 (e) the business administrator or superintendent of a school district for:

116 (i) a school district ballot and election; and

117 (ii) a ballot and election as a provider election officer as provided in Section
118 [20A-5-400.1](#) or [20A-5-400.5](#).

119 (24) "Election official" means any election officer, election judge, or poll worker.

120 (25) "Election results" means:

121 (a) for an election other than a bond election, the count of votes cast in the election and
122 the election returns requested by the board of canvassers; or

123 (b) for bond elections, the count of those votes cast for and against the bond
124 proposition plus any or all of the election returns that the board of canvassers may request.

125 (26) "Election returns" includes the pollbook, the military and overseas absentee voter
126 registration and voting certificates, one of the tally sheets, any unprocessed ballots, all counted
127 ballots, all excess ballots, all unused ballots, all spoiled ballots, the ballot disposition form, and
128 the total votes cast form.

129 (27) "Electronic signature" means an electronic sound, symbol, or process attached to
130 or logically associated with a record and executed or adopted by a person with the intent to sign
131 the record.

132 (28) "Inactive voter" means a registered voter who is listed as inactive by a county
133 clerk under Subsection [20A-2-306\(4\)\(c\)\(i\)](#) or (ii).

134 (29) "Judicial office" means the office filled by any judicial officer.

135 (30) "Judicial officer" means any justice or judge of a court of record or any county
136 court judge.

137 (31) "Local district" means a local government entity under Title 17B, Limited Purpose
138 Local Government Entities - Local Districts, and includes a special service district under Title
139 17D, Chapter 1, Special Service District Act.

140 (32) "Local district officers" means those local district board members that are required
141 by law to be elected.

142 (33) "Local election" means a regular county election, a regular municipal election, a
143 municipal primary election, a local special election, a local district election, and a bond
144 election.

145 (34) "Local political subdivision" means a county, a municipality, a local district, or a
146 local school district.

147 (35) "Local special election" means a special election called by the governing body of a
148 local political subdivision in which all registered voters of the local political subdivision may
149 vote.

150 (36) "Manual ballot" means a paper document produced by an election officer on
151 which an individual records an individual's vote by directly placing a mark on the paper
152 document using a pen or other marking instrument.

153 (37) "Mechanical ballot" means a record, including a paper record, electronic record, or
154 mechanical record, that:

155 (a) is created via electronic or mechanical means; and

156 (b) records an individual voter's vote cast via a method other than an individual directly
157 placing a mark, using a pen or other marking instrument, to record an individual voter's vote.

158 (38) "Municipal executive" means:

159 (a) the mayor in the council-mayor form of government defined in Section 10-3b-102;

160 (b) the mayor in the council-manager form of government defined in Subsection
161 10-3b-103(7); or

162 (c) the chair of a metro township form of government defined in Section 10-3b-102.

163 (39) "Municipal general election" means the election held in municipalities and, as
164 applicable, local districts on the first Tuesday after the first Monday in November of each
165 odd-numbered year for the purposes established in Section 20A-1-202.

166 (40) "Municipal legislative body" means:

167 (a) the council of the city or town in any form of municipal government; or

168 (b) the council of a metro township.

169 (41) "Municipal office" means an elective office in a municipality.

170 (42) "Municipal officers" means those municipal officers that are required by law to be
171 elected.

172 (43) "Municipal primary election" means an election held to nominate candidates for
173 municipal office.

174 (44) "Municipality" means a city, town, or metro township.

175 (45) "Official ballot" means the ballots distributed by the election officer for voters to
176 record their votes.

177 (46) "Official endorsement" means the information on the ballot that identifies:

178 (a) the ballot as an official ballot;

179 (b) the date of the election; and

180 (c) (i) for a ballot prepared by an election officer other than a county clerk, the

181 facsimile signature required by Subsection 20A-6-401(1)(a)(iii); or

182 (ii) for a ballot prepared by a county clerk, the words required by Subsection

183 20A-6-301(1)(b)(iii).

184 (47) "Official register" means the official record furnished to election officials by the

185 election officer that contains the information required by Section 20A-5-401.

186 (48) "Political party" means an organization of registered voters that has qualified to

187 participate in an election by meeting the requirements of Chapter 8, Political Party Formation

188 and Procedures.

189 (49) (a) "Poll worker" means a person assigned by an election official to assist with an

190 election, voting, or counting votes.

191 (b) "Poll worker" includes election judges.

192 (c) "Poll worker" does not include a watcher.

193 (50) "Pollbook" means a record of the names of voters in the order that they appear to

194 cast votes.

195 (51) "Polling place" means a building where voting is conducted.

196 (52) "Position" means a square, circle, rectangle, or other geometric shape on a ballot

197 in which the voter marks the voter's choice.

198 (53) "Presidential Primary Election" means the election established in Chapter 9, Part

199 8, Presidential Primary Election.

200 (54) "Primary convention" means the political party conventions held during the year

201 of the regular general election.

202 (55) "Protective counter" means a separate counter, which cannot be reset, that:

203 (a) is built into a voting machine; and

204 (b) records the total number of movements of the operating lever.

205 (56) "Provider election officer" means an election officer who enters into a contract or

206 interlocal agreement with a contracting election officer to conduct an election for the

207 contracting election officer's local political subdivision in accordance with Section

208 20A-5-400.1.

209 (57) "Provisional ballot" means a ballot voted provisionally by a person:

210 (a) whose name is not listed on the official register at the polling place;

211 (b) whose legal right to vote is challenged as provided in this title; or

212 (c) whose identity was not sufficiently established by a poll worker.

213 (58) "Provisional ballot envelope" means an envelope printed in the form required by
214 Section 20A-6-105 that is used to identify provisional ballots and to provide information to
215 verify a person's legal right to vote.

216 (59) (a) "Public figure" means an individual who, due to the individual being
217 considered for, holding, or having held a position of prominence in a public or private capacity,
218 or due to the individual's celebrity status, has an increased risk to the individual's safety.

219 (b) "Public figure" does not include an individual:

220 (i) elected to public office; or

221 (ii) appointed to fill a vacancy in an elected public office.

222 (60) "Qualify" or "qualified" means to take the oath of office and begin performing the
223 duties of the position for which the individual was elected.

224 (61) "Receiving judge" means the poll worker that checks the voter's name in the
225 official register at a polling place and provides the voter with a ballot.

226 (62) "Registration form" means a form by which an individual may register to vote
227 under this title.

228 (63) "Regular ballot" means a ballot that is not a provisional ballot.

229 (64) "Regular general election" means the election held throughout the state on the first
230 Tuesday after the first Monday in November of each even-numbered year for the purposes
231 established in Section 20A-1-201.

232 (65) "Regular primary election" means the election, held on the date specified in
233 Section 20A-1-201.5, to nominate candidates of political parties and candidates for nonpartisan
234 local school board positions to advance to the regular general election.

235 (66) "Resident" means a person who resides within a specific voting precinct in Utah.

236 (67) "Return envelope" means the postage prepaid envelope, described in Subsection
237 20A-3a-202(4), provided to a voter with a manual ballot:

238 (a) into which the voter places the manual ballot after the voter has voted the manual
239 ballot in order to preserve the secrecy of the voter's vote; and

240 (b) that includes the voter affidavit and a place for the voter's signature.

241 (68) "Sample ballot" means a mock ballot similar in form to the official ballot,
242 published as provided in Section 20A-5-405.

243 (69) "Special election" means an election held as authorized by Section [20A-1-203](#).

244 (70) "Spoiled ballot" means each ballot that:

245 (a) is spoiled by the voter;

246 (b) is unable to be voted because it was spoiled by the printer or a poll worker; or

247 (c) lacks the official endorsement.

248 (71) "Statewide special election" means a special election called by the governor or the
249 Legislature in which all registered voters in Utah may vote.

250 (72) "Tabulation system" means a device or system designed for the sole purpose of
251 tabulating votes cast by voters at an election.

252 (73) "Ticket" means a list of:

253 (a) political parties;

254 (b) candidates for an office; or

255 (c) ballot propositions.

256 (74) "Transfer case" means the sealed box used to transport voted ballots to the
257 counting center.

258 (75) "Vacancy" means the absence of a person to serve in any position created by
259 statute, whether that absence occurs because of death, disability, disqualification, resignation,
260 or other cause.

261 (76) "Valid voter identification" means:

262 (a) a form of identification that bears the name and photograph of the voter which may
263 include:

264 (i) a currently valid Utah driver license;

265 (ii) a currently valid identification card that is issued by:

266 (A) the state; or

267 (B) a branch, department, or agency of the United States;

268 (iii) a currently valid Utah permit to carry a concealed weapon;

269 (iv) a currently valid United States passport; or

270 (v) a currently valid United States military identification card;

271 (b) one of the following identification cards, whether or not the card includes a
272 photograph of the voter:

273 (i) a valid tribal identification card;

274 (ii) a Bureau of Indian Affairs card; or
275 (iii) a tribal treaty card; or
276 (c) two forms of identification not listed under Subsection (76)(a) or (b) but that bear
277 the name of the voter and provide evidence that the voter resides in the voting precinct, which
278 may include:

279 (i) a current utility bill or a legible copy thereof, dated within the 90 days before the
280 election;

281 (ii) a bank or other financial account statement, or a legible copy thereof;

282 (iii) a certified birth certificate;

283 (iv) a valid social security card;

284 (v) a check issued by the state or the federal government or a legible copy thereof;

285 (vi) a paycheck from the voter's employer, or a legible copy thereof;

286 (vii) a currently valid Utah hunting or fishing license;

287 (viii) certified naturalization documentation;

288 (ix) a currently valid license issued by an authorized agency of the United States;

289 (x) a certified copy of court records showing the voter's adoption or name change;

290 (xi) a valid Medicaid card, Medicare card, or Electronic Benefits Transfer Card;

291 (xii) a currently valid identification card issued by:

292 (A) a local government within the state;

293 (B) an employer for an employee; or

294 (C) a college, university, technical school, or professional school located within the
295 state; or

296 (xiii) a current Utah vehicle registration.

297 (77) "Valid write-in candidate" means a candidate who has qualified as a write-in
298 candidate by following the procedures and requirements of this title.

299 (78) "Vote by mail" means to vote, using a manual ballot that is mailed to the voter, by:

300 (a) mailing the ballot to the location designated in the mailing; or

301 (b) depositing the ballot in a ballot drop box designated by the election officer.

302 (79) "Voter" means an individual who:

303 (a) meets the requirements for voting in an election;

304 (b) meets the requirements of election registration;

305 (c) is registered to vote; and

306 (d) is listed in the official register book.

307 (80) "Voter registration deadline" means the registration deadline provided in Section
308 [20A-2-102.5](#).

309 (81) "Voting area" means the area within six feet of the voting booths, voting
310 machines, and ballot box.

311 (82) "Voting booth" means:

312 (a) the space or compartment within a polling place that is provided for the preparation
313 of ballots, including the voting enclosure or curtain; or

314 (b) a voting device that is free standing.

315 (83) "Voting device" means any device provided by an election officer for a voter to
316 vote a mechanical ballot.

317 (84) "Voting precinct" means the smallest geographical voting unit, established under
318 Chapter 5, Part 3, Duties of the County and Municipal Legislative Bodies.

319 (85) "Watcher" means an individual who complies with the requirements described in
320 Section [20A-3a-801](#) to become a watcher for an election.

321 (86) "Write-in ballot" means a ballot containing any write-in votes.

322 (87) "Write-in vote" means a vote cast for an individual, whose name is not printed on
323 the ballot, in accordance with the procedures established in this title.

324 Section 2. Section [20A-3a-202](#) is amended to read:

325 **20A-3a-202. Conducting election by mail.**

326 (1) (a) Except as otherwise provided for an election conducted entirely by mail under
327 Section [20A-7-609.5](#), an election officer shall administer an election primarily by mail, in
328 accordance with this section.

329 (b) An individual who did not provide valid voter identification at the time the voter
330 registered to vote shall provide valid voter identification before voting.

331 (2) An election officer who administers an election:

332 (a) shall in accordance with Subsection (3), no sooner than 21 days before election day
333 and no later than seven days before election day, mail to each active voter within a voting
334 precinct:

335 (i) a manual ballot;

336 (ii) a return envelope;

337 (iii) instructions for returning the ballot that include an express notice about any
338 relevant deadlines that the voter must meet in order for the voter's vote to be counted;

339 (iv) for an election administered by a county clerk, information regarding the location
340 and hours of operation of any election day voting center at which the voter may vote or a
341 website address where the voter may view this information;

342 (v) for an election administered by an election officer other than a county clerk, if the
343 election officer does not operate a polling place or an election day voting center, a warning, on
344 a separate page of colored paper in bold face print, indicating that if the voter fails to follow the
345 instructions included with the ballot, the voter will be unable to vote in that election because
346 there will be no polling place for the voting precinct on the day of the election; and

347 (vi) [~~after May 1, 2022,~~] instructions on how a voter may sign up to receive electronic
348 ballot status notifications via the ballot tracking system described in Section [20A-3a-401.5](#);

349 (b) may not mail a ballot under this section to:

350 (i) an inactive voter, unless the inactive voter requests a manual ballot; or
351 (ii) a voter whom the election officer is prohibited from sending a ballot under
352 Subsection (10)(c)(ii); and

353 (c) shall, on the outside of the envelope in which the election officer mails the ballot,
354 include instructions for returning the ballot if the individual to whom the election officer mails
355 the ballot does not live at the address to which the ballot is sent.

356 (3) (a) An election officer who mails a manual ballot under Subsection (2) shall mail
357 the manual ballot to the address:

358 (i) provided at the time of registration; or
359 (ii) if, at or after the time of registration, the voter files an alternate address request
360 form described in Subsection (3)(b), the alternate address indicated on the form.

361 (b) The lieutenant governor shall make available to voters an alternate address request
362 form that permits a voter to request that the election officer mail the voter's ballot to a location
363 other than the voter's residence.

364 (c) A voter shall provide the completed alternate address request form to the election
365 officer no later than 11 days before the day of the election.

366 (4) The return envelope shall include:

367 (a) prepaid postage;

368 (b) the name, official title, and post office address of the election officer on the front of

369 the envelope;

370 ~~[(b)]~~ (c) a space where a voter may write an email address and phone number by which

371 the election officer may contact the voter if the voter's ballot is rejected;

372 ~~[(c)]~~ (d) a printed affidavit in substantially the following form:

373 "County of ____ State of ____

374 I, ____, solemnly swear that: I am a qualified resident voter of the ____ voting precinct

375 in ____ County, Utah and that I am entitled to vote in this election. I am not a convicted felon

376 currently incarcerated for commission of a felony.

377 _____

378 Signature of Voter"; and

379 ~~[(d)]~~ (e) a warning that the affidavit must be signed by the individual to whom the

380 ballot was sent and that the ballot will not be counted if the signature on the affidavit does not

381 match the signature on file with the election officer of the individual to whom the ballot was

382 sent.

383 (5) If the election officer determines that the voter is required to show valid voter

384 identification, the election officer may:

385 (a) mail a ballot to the voter;

386 (b) instruct the voter to include a copy of the voter's valid voter identification with the

387 return ballot; and

388 (c) provide instructions to the voter on how the voter may sign up to receive electronic

389 ballot status notifications via the ballot tracking system described in Section [20A-3a-401.5](#).

390 (6) An election officer who administers an election shall:

391 (a) (i) before the election, obtain the signatures of each voter qualified to vote in the

392 election; or

393 (ii) obtain the signature of each voter within the voting precinct from the county clerk;

394 and

395 (b) maintain the signatures on file in the election officer's office.

396 (7) Upon receipt of a returned ballot, the election officer shall review and process the

397 ballot under Section [20A-3a-401](#).

398 (8) A county that administers an election:

399 (a) shall provide at least one election day voting center in accordance with [~~Chapter 3a,~~
400 ~~Part 7, Election Day Voting Center~~] Part 7, Election Day Voting Center, and at least one
401 additional election day voting center for every 5,000 active voters in the county who have
402 requested to not receive a ballot by mail;

403 (b) shall ensure that each election day voting center operated by the county has at least
404 one voting device that is accessible, in accordance with the Help America Vote Act of 2002,
405 Pub. L. No. 107-252, for individuals with disabilities;

406 (c) may reduce the early voting period described in Section 20A-3a-601, if:

407 (i) the county clerk conducts early voting on at least four days;

408 (ii) the early voting days are within the period beginning on the date that is 14 days
409 before the date of the election and ending on the day before the election; and

410 (iii) the county clerk provides notice of the reduced early voting period in accordance
411 with Section 20A-3a-604; and

412 [~~(d) is not required to pay return postage for a ballot; and~~]

413 [~~(e)~~] (d) is subject to an audit conducted under Subsection (9).

414 (9) (a) The lieutenant governor shall:

415 (i) develop procedures for conducting an audit of affidavit signatures on ballots cast in
416 an election conducted under this section; and

417 (ii) after each primary, general, or special election conducted under this section, select
418 a number of ballots, in varying jurisdictions, to audit in accordance with the procedures
419 developed under Subsection (9)(a)(i).

420 (b) The lieutenant governor shall post the results of an audit conducted under this
421 Subsection (9) on the lieutenant governor's website.

422 (10) (a) An individual may request that the election officer not send the individual a
423 ballot by mail in the next and subsequent elections by submitting a written request to the
424 election officer.

425 (b) An individual shall submit the request described in Subsection (10)(a) to the
426 election officer before 5 p.m. no later than 60 days before an election if the individual does not
427 wish to receive a ballot by mail in that election.

428 (c) An election officer who receives a request from an individual under Subsection

429 (10)(a):
430 (i) shall remove the individual's name from the list of voters who will receive a ballot
431 by mail; and
432 (ii) may not send the individual a ballot by mail for:
433 (A) the next election, if the individual submits the request described in Subsection
434 (10)(a) before the deadline described in Subsection (10)(b); or
435 (B) an election after the election described in Subsection (10)(c)(ii)(A).

436 (d) An individual who submits a request under Subsection (10)(a) may resume the
437 individual's receipt of a ballot by mail by submitting a written request to the election officer.
438 (11) Within appropriations made by the Legislature for this purpose, the lieutenant
439 governor shall reimburse a county for the actual cost of complying with the prepaid postage
440 requirement described in Subsection (4)(a).

441 Section 3. Section **20A-3a-204** is amended to read:

442 **20A-3a-204. Marking and depositing ballots.**

443 (1) To vote by mail:

444 (a) except as provided in Subsection (6), the voter shall prepare the voter's manual
445 ballot by marking the appropriate space with a mark opposite the name of each candidate of the
446 voter's choice for each office to be filled;

447 (b) if a ballot proposition is submitted to a vote of the people, the voter shall mark the
448 appropriate space with a mark opposite the answer the voter intends to make;

449 (c) except as provided in Subsection (6), the voter shall record a write-in vote in
450 accordance with Subsection **20A-3a-206**(1);

451 (d) except as provided in Subsection (6), a mark is not required opposite the name of a
452 write-in candidate; and

453 (e) the voter shall:

454 (i) complete and sign the affidavit on the return envelope;

455 (ii) place the voted ballot in the return envelope;

456 (iii) if required, place a copy of the voter's valid voter identification in the return
457 envelope;

458 (iv) securely seal the return envelope; and

459 (v) (A) [~~attach postage, if necessary, and~~] deposit the return envelope in the mail; or

460 (B) place the return envelope in a ballot drop box, designated by the election officer,
461 for the precinct where the voter resides.

462 (2) (a) Except as otherwise provided in Section [20A-16-404](#), to be valid, a ballot that is
463 mailed must be:

464 (i) clearly postmarked on or before election day, or otherwise clearly marked by the
465 post office as received by the post office on or before election day; and

466 (ii) received in the office of the election officer before noon on the day of the official
467 canvass following the election.

468 (b) Except as provided in Subsection (2)(c), to be valid, a ballot shall, before the polls
469 close on election day, be deposited in:

470 (i) a ballot box at a polling place; or

471 (ii) a ballot drop box designated by an election officer for the jurisdiction to which the
472 ballot relates.

473 (c) An election officer may, but is not required to, forward a ballot deposited in a ballot
474 drop box in the wrong jurisdiction to the correct jurisdiction.

475 (d) An election officer shall ensure that a voter who is, at or before 8 p.m., in line at a
476 ballot drop box, with a sealed return envelope containing a ballot in the voter's possession, to
477 deposit the ballot in the ballot drop box.

478 (3) Except as provided in Subsection (4), to vote at a polling place the voter shall, after
479 complying with Subsections (1)(a) through (d):

480 (a) sign the official register or pollbook; and

481 (b) (i) place the ballot in the ballot box; or

482 (ii) if the ballot is a provisional ballot, place the ballot in the provisional ballot
483 envelope, complete the information printed on the provisional ballot envelope, and deposit the
484 provisional ballot envelope in the provisional ballot box.

485 (4) (a) An individual with a disability may vote a mechanical ballot at a polling place.

486 (b) An individual other than an individual with a disability may vote a mechanical
487 ballot at a polling place if permitted by the election officer.

488 (5) To vote a mechanical ballot, the voter shall:

489 (a) make the selections according to the instructions provided for the voting device;

490 and

491 (b) subject to Subsection (6), record a write-in vote by:
492 (i) selecting the appropriate position for entering a write-in candidate; and
493 (ii) using the voting device to enter the name of the valid write-in candidate for whom
494 the voter wishes to vote.

495 (6) To vote in an instant runoff voting race under [~~Title 20A, Chapter 4, Part 6,~~
496 ~~Municipal Alternate Voting Methods Pilot Project~~] Chapter 4, Part 6, Municipal Alternate
497 Voting Methods Pilot Project, a voter:

498 (a) shall indicate, as directed on the ballot, the name of the candidate who is the voter's
499 first preference for the office; and

500 (b) may indicate, as directed on the ballot, the names of the remaining candidates in
501 order of the voter's preference.

502 (7) A voter who votes at a polling place:

503 (a) shall mark and cast or deposit the ballot without delay and shall leave the voting
504 area after voting; and

505 (b) may not:

506 (i) occupy a voting booth occupied by another, except as provided in Section
507 [20A-3a-208](#);

508 (ii) remain within the voting area more than 10 minutes; or

509 (iii) occupy a voting booth for more than five minutes if all booths are in use and other
510 voters are waiting to occupy a voting booth.

511 (8) If the official register shows any voter as having voted, that voter may not reenter
512 the voting area during that election unless that voter is an election official or watcher.

513 (9) A poll worker may not, at a polling place, allow more than four voters more than
514 the number of voting booths into the voting area at one time unless those excess voters are:

515 (a) election officials;

516 (b) watchers; or

517 (c) assisting voters with a disability.

518 Section 4. Section **20A-5-403.5** is amended to read:

519 **20A-5-403.5. Ballot drop boxes.**

520 (1) An election officer:

521 (a) shall designate at least one ballot drop box in each municipality and reservation

522 located in the jurisdiction to which the election relates;

523 (b) may designate additional ballot drop boxes for the election officer's jurisdiction;

524 (c) shall clearly mark each ballot drop box as an official ballot drop box for the election
525 officer's jurisdiction;

526 (d) shall provide 24-hour video surveillance of each unattended ballot drop box; and

527 (e) shall post a sign on or near each unattended ballot drop box indicating that the
528 ballot drop box is under 24-hour video surveillance.

529 (2) Except as provided in Section 20A-1-308 or Subsection (5), the election officer
530 shall, at least 19 days before the date of the election, provide notice of the location of each
531 ballot drop box designated under Subsection (1):

532 (a) (i) by publishing notice in at least one issue of a newspaper of general circulation in
533 the jurisdiction holding the election;

534 (ii) by posting one notice, and at least one additional notice per 2,000 population of the
535 jurisdiction holding the election, in places within the jurisdiction that are most likely to give
536 notice to the residents in the jurisdiction, subject to a maximum of 10 notices; or

537 (iii) by mailing notice to each registered voter in the jurisdiction holding the election;

538 (b) by posting notice on the Utah Public Notice Website, created in Section
539 63A-16-601, for 19 days before the day of the election; and

540 (c) by posting notice on the jurisdiction's website for 19 days before the day of the
541 election.

542 (3) Instead of including the location of ballot drop boxes, a notice required under
543 Subsection (2) may specify the following sources where a voter may view or obtain a copy of
544 all ballot drop box locations:

545 (a) the jurisdiction's website;

546 (b) the physical address of the jurisdiction's offices; and

547 (c) a mailing address and telephone number.

548 (4) The election officer shall include in the notice described in Subsection (2):

549 (a) the address of the Statewide Electronic Voter Information Website and, if available,
550 the address of the election officer's website, with a statement indicating that the election officer
551 will post on the website the location of each ballot drop box, including any changes to the
552 location of a ballot drop box and the location of additional ballot drop boxes; and

553 (b) a phone number that a voter may call to obtain information regarding the location
554 of a ballot drop box.

555 (5) (a) Except as provided in Section 20A-1-308, the election officer may, after the
556 deadline described in Subsection (2):

557 (i) if necessary, change the location of a ballot drop box; or

558 (ii) if the election officer determines that the number of ballot drop boxes is
559 insufficient due to the number of registered voters who are voting, designate additional ballot
560 drop boxes.

561 (b) Except as provided in Section 20A-1-308, if an election officer changes the
562 location of a ballot box or designates an additional ballot drop box location, the election officer
563 shall, as soon as is reasonably possible, give notice of the changed ballot drop box location or
564 the additional ballot drop box location:

565 (i) to the lieutenant governor, for posting on the Statewide Voter Information Website;

566 (ii) by posting the information on the website of the election officer, if available; and

567 (iii) by posting notice:

568 (A) for a change in the location of a ballot drop box, at the new location and, if
569 possible, the old location; and

570 (B) for an additional ballot drop box location, at the additional ballot drop box
571 location.

572 (6) An election officer may, at any time, authorize two or more poll workers to remove
573 ~~[a ballot drop box from a location, or to remove]~~ ballots from a ballot drop box for processing.

574 (7) Subject to Subsections (8) and (9), an election officer may, at any time, authorize
575 two or more poll workers to remove a ballot drop box from a location if the election officer
576 determines:

577 (a) that the election officer's jurisdiction lacks the resources to remove the ballot drop
578 box shortly after the polls close on election day; or

579 (b) that removal is necessary to protect the integrity of the ballots deposited in the
580 ballot drop box.

581 (8) If a ballot drop box is removed for the reason described in Subsection (7)(a), the
582 election officer shall:

583 (a) before removing the ballot drop box:

584 (i) give notice of the removal to the lieutenant governor, for posting on the Statewide
585 Voter Information Website; and

586 (ii) post notice of the removal on the website of the election officer, if available; and

587 (b) post notice, at the time of removal, at the location of the ballot drop box.

588 (9) If a ballot drop box is removed for the reason described in Subsection (7)(b), the
589 election officer shall, as soon as is reasonably possible after removing the ballot drop box:

590 (a) give notice of the removal to the lieutenant governor, for posting on the Statewide
591 Voter Information Website;

592 (b) post notice of the removal on the website of the election officer, if available; and

593 (c) post notice at the location of the ballot drop box.

594 (10) The notice described in Subsections (8)(b) and (9)(c) shall include information
595 about the location of the nearest ballot drop box in the election officer's jurisdiction.

596 [~~7~~] (11) (a) At least two poll workers must be present when a poll worker collects
597 ballots from a ballot drop box and delivers the ballots to the location where the ballots will be
598 opened and counted.

599 (b) An election officer shall ensure that the chain of custody of ballots placed in a
600 ballot box are recorded and tracked from the time the ballots are removed from the ballot box
601 until the ballots are delivered to the location where the ballots will be opened and counted.